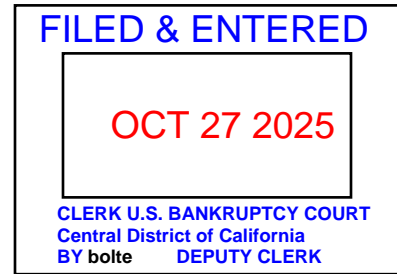


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CHANGES MADE BY COURT

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

In re:

CAMMY LYNN MENDES,

Debtor.

Case No. 8:25-bk-11756-SC

Chapter 7

**ORDER ON OBJECTION TO CLAIMED
EXEMPTION IN REAL PROPERTY**

Hearing:

Date: October 14, 2025

Time: 11:00 a.m.

Crtm: ZoomGov; 5C, 411 W Fourth St.,
Santa Ana, CA 92701

The Court considered the Objection to Claimed Exemption in Real Property filed by Gregg Roberts filed at ECF Dkt. No. 8 (the “Objection”), the Opposition filed by Debtor Cammy Lynn Mendes, the Reply filed by Roberts, the evidentiary objections of Cammy Lynn Mendes to the evidence submitted by Gregg Roberts, and the oral argument at the hearing on the Objection. For the reasons stated in the Court’s tentative ruling, which is set forth below, and for the reasons stated on the record at the hearing on the Objection, the Court hereby orders as follows:

1 1. In advance of the hearing, the Court posted the following tentative, which it adopted
2 in full at the hearing:

3 Tentative for 10/14/25:

4 The Court is inclined to OVERRULE Gregg Robert's Objection [Dk. 8].

5 Fed. R. Bankr. Proc. Rule 4003(c) makes clear that a party in interest who objects to a
6 claimed exemption has the burden of proving that the exemption was not properly
7 claimed. The cases Mr. Roberts relies upon in his Reply [Dk. 20], *Raleigh v. Illinois*
8 *Dep't of Revenue*, 530 U.S. 15 (2000) and *Diaz v. Kosmala (In re Diaz)*, 547 B.R.
9 329, 336-38 (BAP 9th Cir. 2016), do not negate this burden, as clarified by more
10 recent precedent from the Ninth Circuit: *Lee v. Field (In re Lee)*, 889 F.3d 639 (9th
11 Cir. 2018). Mr. Roberts accordingly had the initial burden to show Debtor's
12 exemption was improper in his objection, which he did not do.

13 Moreover, Mr. Roberts' Reply and Mr. Carual's Declaration [Dk. 21] do not rectify
14 the deficiencies of the Objection; neither provide sufficient evidence showing that
15 Debtor's exemption was not properly claimed. Debtor's evidentiary objections [Dk.
16 29] to both are well-taken, in light of Local Rule 9013-1(g)(4) barring new arguments
17 or matters raised for the first time in reply documents from consideration.

18 Virtual appearances are required.


19 2. Debtor established a valid homestead exemption in the property located at 503
20 Traverse Drive, Costa Mesa, California 92626.

21 3. The Court overrules the Objection for the reasons stated on the record and in the
22 tentative ruling.

23 **IT IS SO ORDERED.**

24 #####

25 Date: October 27, 2025

26 
27 Scott C. Clarkson
28 United States Bankruptcy Judge